

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, October 27, 2008 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 10-23-2008

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

**Joanne M. Arruda
Donald Bollin
Paul E. Carroll
Hannibal Costa**

**Louise Durfee
Jay Edwards
Brian A. Medeiros**

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Special Council Meeting Minutes October 6, 2008

b. Approval of Executive Session Minutes Meeting of October 6, 2008

c. Approval of Executive Session Minutes Meeting of October 14, 2008

Councilor Durfee Abstained – Not in Attendance

d. Approval of Executive Session Minutes Meeting of October 20, 2008

e. Approval of Executive Session Minutes Meeting of September 22, 2008

Councilor Costa Abstained – Not in Attendance

e. Approval of Executive Session Minutes Meeting of July 14, 2008 – Councilor

Arruda abstained – Not in attendance

f. Approval of Executive Session Minutes Meeting of May 27, 2008

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Personnel Board

f. Recycling Committee

b.

g. Recreation Committee (4)

c. Conservation Commission

h. Wastewater Management Commission (2)

d. Prevention Coalition

i. Tiverton Arts Council

e. School Committee

(C.A.) 3. CORRESPONDENCE - RECEIVE AND FILE

- a. Received From City of Warwick Relative to Universal or Regional Health Care
- b. Received From Mr. Camara Regarding Shore Road area – Forwarded to DPW Director
- c. Received From City of Warwick Related to Legislation for Bicyclist Safety
- d. Received From Town of Portsmouth – Resolution Relative to Opposition to Medicaid Reform/RI Global consumer Compact Waiver Application
- e. Received Request From Tom Ramotowski, Conservation Commission for Council to Direct/Order Town Clerk to Send Memo Relative to Support for Eel Grass Restoration To Save the Bay as Previously Approved by Council – Proposed Letter Attached

B – PUBLIC HEARING – ADVERTISED

1. Continued from July 14, 2008 - TLT, LLC, Harbor Ridge Subdivision – Request Parking Ban be Imposed on the South Side of Hayden Avenue From Utility Pole #3 to the Main Road – Request by Attorney Leary for Continuance to Second Meeting in January
2. Ordinance Amendment – Curb Cuts and Excavations – Proposed Adoption of Amendment to Section 70-3 to Provide for Prior Approval by RIDOT or DPW Director, and Adopt Technical Requires for Street Excavations
3. Ordinance Amendment – Junk Dealers and Junkyards - Proposed Adoption of Amendment to Sections 62-56 Through 62-82 to Clarify and Update Regulations and Prohibit Purchases from Minors
4. Town Administrator – Proposed Adoption of an Ordinance to Amending Chapter 22 to Formalize and Elaborate on Existing Practices for Entertainment at Business Establishments and/or for Money-Making Purposes - Request Continuance of Public Hearing to November 24th Meeting
5. Town Administrator – Proposed Annual Review and Amendment to Various Fees, Fines and Permit Costs as Authorized by Ordinance and Previously Set Forth in Code – Request Continuance to November 24th Meeting by Town Administrator to Review Proper Necessary Documentation

C - BOARD OF LICENSING COMMISSIONERS

PUBLIC HEARING – ADVERTISED – Continued From October 14th Meeting

1. Show Cause Hearing for Spa Island Enterprises, Inc. d/b/a Lil' Bear Lounge

Requested by RI State Fire Marshal's Office, Tiverton Fire and Tiverton Code Enforcement for Liquor License, Victualling and Tobacco License.

BOARD OF LICENSING – NON ADVERTISED

2. William S. Shepard d/b/a “Cool Dogs” Requests Victualling License for Business on 14A Stafford Road – Subject to Meeting All Legal Requirements

D - APPOINTMENTS & RESIGNATIONS:

1. Town Administrator – Appointment to Housing Authority Board

E - UNFINISHED BUSINESS:

F – FINANCIAL BUSINESS:

1. Town Administrator Request Release of Carry Forward Funds
 - a. Account 098-943 Town Wide GIS Mapping for \$28,215
 - b. Account 214-730 Computer Upgrade for \$15,831

G - NEW BUSINESS:

1. Councilor Carroll – Discussion of Recycling Program
2. Town Administrator/Chief Lloyd – Present Completed and Approved Version of MEDS Plan as Required by RI Dept of Health for Acceptance

H – BIDS AND REQUESTS FOR PROPOSALS

1. Town Administrator– Chief Blakey – Request Permission to Purchase Two (2) 2009 Dodge Police Package Vehicles to Low Bidder Central Dodge of Raynham, MA at \$45,006.00 with Budgeted Funds Approved at FTM

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor - Litigation – 42-46-5(a) (2)

2. Town Administrator — 42-46-5(a) (5) – Possible Acquisition or Disposition of Town Held Property
3. Town Council – 42-46-5(a)(6) – Prospective Business

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”